



PATENT / DOCKET NO.: P-10606 / 31849.39  
CUSTOMER NO.: 27683

**INVENTOR'S DECLARATION FOR  
PATENT APPLICATION**

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and sole joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

**SURGICAL INSTRUMENT WITH ADJUSTABLE ROTARY CUTTING TOOL  
AND METHOD OF CUTTING**

the specification of which: (check one)

\_\_\_\_\_ is attached hereto.  
  X   was filed on October 31, 2003  
under Attorney's Docket Number 31849.39  
as Application Serial No. 10/699,471  
and was amended on \_\_\_\_\_ (if applicable).

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF INVENTOR: John M. Murphy

INVENTOR'S SIGNATURE: John M. Murphy

DATED: 03/02/04

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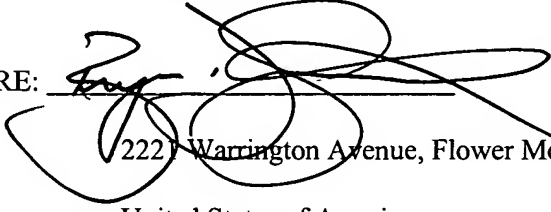
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FULL NAME OF INVENTOR: Bryan D. Simmons

INVENTOR'S SIGNATURE: 

DATED: 18 FEB. 2004

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